

**RESOLUTION NO. 102416-5**

**A RESOLUTION AMENDING THE EMPLOYEES POLICIES AND GUIDELINES OF THE CITY OF ABILENE, KANSAS**

**WHEREAS**, the City Commission desires to make certain amendments to the Employees Policies and Guidelines of the City of Abilene, Kansas.

**NOW, THEREFORE BE IT RESOLVED**, by the City Commission of the City of Abilene, Kansas, as follows:

**SECTION ONE. Section 6.2 Weapons.** Section 6.2 of the Employees Policies and Guidelines of the City of Abilene, Kansas will be amended as follows:

6.2. As of July 1, 2016 Section 5 amends K.S.A. 2015 Supp. 75-7c10. Subsection (e) reads; No public employer shall restrict or otherwise prohibit by personnel policies any employee, who is legally qualified, from carrying any concealed handgun while engaged in duties of such employee's employment outside of such employer's place of business, including while in a means of conveyance.

Employees have the right to conceal carry, however carrying of a concealed handgun is not within the course and scope of employment. Any injury while working on behalf of the City of Abilene, Kansas that is caused by the employee choosing to carry a concealed handgun will not be considered for workers' compensation. Any liability associated with the employee's decision to conceal carry will not be defended by the City and will be of a personal nature since carrying of a concealed handgun is not part of the employee's duties.

Employees are prohibited from leaving a handgun in plain view or unattended and must abide by all laws related to conceal carry, such as not entering any building, public or private that prohibits conceal carry.

Firearms shall not be stored in a city owned vehicle. The City will not be responsible for lost, damaged or stolen personal property of employees.

If an employee elects to conceal carry it will not interfere with the employee's ability to perform any duties and should not obstruct any required safety equipment.

**SECTION TWO. Section 8.17 Residency.** Section 8.17 of the Employees Policies and Guidelines of the City of Abilene, Kansas will be amended as follows:

8.17. While employees are not required to maintain residency within the City, employees subject to frequent call out for emergency services are expected to reside within a reasonable distance of their place of employment.

It will be the duty of each Department Director to develop a policy and monitor the response times of their employees. Failure of an employee to respond according to their department policy may result in disciplinary action.

**SECTION THREE. Section 15.8 Insurance Continuation for Retirees.** Section 15.8 of the Employees Policies and Guidelines of the City of Abilene, Kansas will be amended as follows:

15.8 K.S.A. 12-5040 is hereby amended to read as follows: 12-5040. (a) Each local government which provides an employer-sponsored group health care benefits plan for the employees of the local government shall

make coverage under such group health care benefits program available to retired employees and their dependents, upon written application filed with the clerk or secretary thereof within 30 days following retirement of the employee, as provided by this section. Coverage under the employee group health care benefits plan may cease to be made available upon (1) the retired employee attaining age 65, (2) the retired employee failing to make required premium payments on a timely basis, or (3) the retired employee becoming covered or becoming eligible to be covered under a plan of another employer.

No employee shall be entitled to a cash payment of any kind from the City in lieu of medical and hospital insurance coverage.

The City offers to all full time retiring employees the following retirement health insurance benefits if the following qualifications are met:

- The employee must retire with KPERS and/or KP&F benefits.
- The employee must have at least ten (10) years of service with the City and be employed by the City at retirement.
- The eligible employee must decide to participate in the group health plan upon retirement and membership must be continuous. (The retired employee cannot elect to terminate coverage and then reinstate.)
- The employer will provide 50% participation in the monthly group health coverage premium until the retiree becomes eligible for Medicare benefits for the employee only. If the employee keeps dependents on the coverage the employee must pay the full premium for the dependents.

**SECTION FOUR. Effective Date.** That this Resolution shall be in full force and effective after its adoption on October 24, 2016.

**PASSED AND APPROVED** by the Governing Body of the City of Abilene, Kansas this 24th day of October, 2016.

(Seal)

ATTES



*Penny Soukup, CMC*  
Penny Soukup, CMC  
City Clerk

*Dee Marshall*  
Dee Marshall, Mayor